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May 11, 2012

Via Facsimile

The Honorable Paul G. Gardephe  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 10007

Re: Klauber Brothers, Inc. v. Russell-Newman, Inc.  
and The Bon-Ton Stores, Inc.  
Civil Action No. 11 CIV 4985 (PGG)  
Our File: 46628/0048

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**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

Dated: May 15, 2012

Dear Judge Gardephe:

We represent Plaintiff, Klauber Brothers, Inc. ("Klauber") in the above-identified matter and have conferred and agreed with Vanessa C. Hew, Esq., counsel for The Bon-Ton Stores, Inc. ("Bon-Ton") to a revision of the briefing schedule for Bon-Ton's Motion To Dismiss.

We have requested and Ms. Hew has agreed to a one-week extension, and Ms. Hew has requested and we have agreed to a two-week extension, subject to the Court's approval.

If the Court approves, the revised due dates would be as follows:

Opposition to Motion to Dismiss due: Friday, May 25, 2012  
Reply to Opposition to Dismiss due: Friday, June 8, 2012

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP  
Attorneys for Klauber Brothers, Inc.

*Philip J. Gottfried*

Philip Gottfried

PHG/djl

cc: Suzan Jo, Esq. (via e-mail)  
Vanessa C. Hew, Esq. (via e-mail)  
Terry Parker, Esq. (via e-mail)  
Klauber Brothers, Inc. (via e-mail)

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